



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,877	10/28/2003	Hiroshi Tojo	00862.022617.	4088

5514 7590 08/02/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PRABHAKHER, PRITHAM DAVID

ART UNIT	PAPER NUMBER
----------	--------------

2622

MAIL DATE	DELIVERY MODE
-----------	---------------

08/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p>10/693,877</p>	<p>Applicant(s)</p> <p>TOJO ET AL.</p>	
	<p>Examiner</p> <p>Pritham Prabhakher</p>	<p>Art Unit</p> <p>2622</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date <u>08/24/2004</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data.

When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim 55 is/are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 55 defines a control program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e.,

"When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" – Guidelines Annex IV). That is, the scope of the presently claimed control program can range from paper on which the program is written, to a program simply contemplated and memorized by a person.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-56 are rejected under 35 U.S.C. 102(e) as being anticipated by

McGrath et al. (US Patent No.: 7123816B2).

Regarding Claim 1, McGrath et al. disclose an apparatus (Video camera 1 and PDA 12 make up the apparatus in Figure 1) for storing main information (video images captured by the camera 1) and a supplementary information (metadata) item that accompanies the main information, comprising:

a determination unit configured to determine, for each supplementary information item having a plurality of description forms (The metadata (secondary/syntactic

*metadata and metadata added externally by a user via a PDA 12) has a plurality of description forms, **Column 7, Line 61 to Column 8, Line 9**), priority for each of the plurality of description forms in advance (Priority is given to the secondary metadata obtained from the metadata generator 34. This metadata is given first priority since it is automatically generated during the generation of video signals. Therefore, priority is given to the secondary metadata in advance by the control processor 28. The metadata input by the user is of secondary importance, **Column 7, Lines 1 et seq.**);*

*a selection unit configured to select a description form to be used in recording in accordance with the priority from description forms usable in the apparatus (Processor 28 also functions as a selection unit configured to select the metadata to be used in recording in accordance with priority. The secondary metadata that is automatically generated is selected along with the user generated metadata that is input from the PDA, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**); and*

*a recording unit configured to record for recording the supplementary information item (secondary/syntactic metadata and user selected metadata) by the selected description form in correspondence with the main information (Recording unit 22 stores both the syntactic and user selected metadata along with the video images captured by the camera 10, **Column 8, Lines 10-46**).*

*With regard to **Claim 2**, McGrath et al. disclose the apparatus according to claim 1, wherein said selection means selects a plurality of description forms to be used from the description forms usable in the apparatus in descending order of priority within a usable range in consideration of a limitation of the apparatus (limitation of apparatus is*

*whether or not user inputs metadata from the PDA to the video camera) (The metadata (plurality of description forms to be used) is selected in descending order of priority. The syntactic metadata, which is given first priority, is automatically selected and stored in the camera 1. The metadata input by the user is of secondary/lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.)***

*In regard to **Claim 3**, McGrath et al. disclose the apparatus according to claim 1, wherein said selection means selects a plurality of description forms to be used from the description forms usable in the apparatus in descending order of priority within a usable range in consideration of a limitation of the apparatus and simultaneously selects all description forms having priority higher than the lowest priority in the selected description forms (The metadata (plurality of description forms to be used) is selected in descending order of priority. The syntactic metadata, which is given first priority, is automatically selected by the processor 28 and stored in the camera 1. The metadata input by the user is of secondary/lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.)**.*

*Regarding **Claim 4**, McGrath et al. disclose the apparatus according to claim 1, wherein when the description forms usable in the apparatus include description forms that cannot be simultaneously used because of a limitation of the apparatus (Metadata input by the user from the PDA cannot be simultaneously used with the syntactic metadata when the PDA does not transmit the metadata to the camera (limitation of the*

Art Unit: 2622

*apparatus)), said selection means (processor 28) selects one description form having high priority for the description forms (The processor 28 selects the syntactic metadata (high priority metadata), and for the remaining description forms, selects the plurality of usable description forms to be used in descending order of priority. Once the metadata is later input from the PDA, the processor 28 selects the plurality of metadata (remaining description forms) to be used. The priority is first given to the syntactic metadata and finally to the user input metadata (descending order), **Column 7, Lines 1 et seq. to Column 8, Lines 1-46).***

*With regard to **Claim 5**, McGrath et al. disclose the apparatus according to claim 1, wherein when the description forms usable in the apparatus include usable description forms whose number or combination is limited because of a limitation of the apparatus, said selection means selects description forms having high priority as many as possible within the limit (When the description forms usable in the apparatus (user selected metadata and syntactic metadata) is limited because the user only inputs a certain amount of metadata, the processor 28 selects as many description forms having high priority (syntactic metadata) as are present (within limit), **Column 7, Lines 1 et seq.).***

*In regard to **Claim 6**, McGrath et al. disclose the apparatus according to claim 1, wherein said selection means selects a description form to be used (syntactic metadata) from the description forms usable (syntactic and user input metadata) in the apparatus in descending order of priority within a usable range in consideration of a limitation of the apparatus (The processor 28 selects the syntactic metadata (high priority metadata)*

*first, and for the remaining description forms, selects the plurality of usable description forms to be used in descending order of priority. Once the user input metadata is later input from the PDA, the processor 28 selects the plurality of metadata (remaining description forms) to be used. The priority is first given to the syntactic metadata and finally to the user input metadata (descending order), **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**), and changes a storage location (data store 32 and magnetic tape 22, Figure 2) of the supplementary information (combination of both metadata) item on a storage medium in accordance with the priority (McGrath et al. teach that the syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22), **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).*

*With regard to **Claim 7**, McGrath et al. disclose the apparatus according to claim 6, wherein in changing the storage location of the supplementary information item on the storage medium, said selection means stores a supplementary information item with a description form having high priority at a storage location, with which storage or retrieval is easy (McGrath et al. teach that the syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22), **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).*

*Regarding **Claim 8**, McGrath et al. disclose the apparatus according to claim 6, wherein in changing the storage location or storage scheme of the supplementary*

*information item on the storage medium, said selection means (processor 28) stores supplementary information at a storage location, with which storage of the supplementary information item is easy, in an order of priority of the description form (McGrath et al. teach that the syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46).***

*In regard to **Claim 9**, McGrath et al. disclose the apparatus according to claim 6, wherein in changing the storage location of the supplementary information item on the storage medium, said selection means defines in advance a rule to assign a description form having specific priority to each of a plurality of storage locations the storage medium and determines the storage location in accordance with the rule (McGrath et al. teach that the syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata. The rule is that syntactic metadata (high priority metadata) is always stored first in data store 32, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46).***

*With regard to **Claim 10**, McGrath et al. disclose the apparatus according to claim 6, wherein in changing the storage location of the supplementary information item on the storage medium, said selection means defines in advance a rule to assign a*

*description form having specific priority to each of a plurality of storage locations on the storage medium for each supplementary information item to be recorded and determines the storage location or storage scheme in accordance with the rule (McGrath et al. teach that the syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata. The rule is that syntactic metadata (high priority metadata) is always stored first in data store 32, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46).***

*Regarding **Claim 11**, McGrath et al. disclose the apparatus according to claim 1, wherein*

*the apparatus is a moving image sensing apparatus (Video camera 1 can capture moving images, **Column 6, Lines 9-24**), and*

*the main information is a moving image (**Column 6, Lines 9-24**), and the supplementary information (metadata) item contains at least one of information of an image sensing device, state information of an optical device, information related to user's operation, and information related to a photographing environment at the time of photographing (**Column 7, Lines 61-67 and Column 8, Lines 1-4**).*

*With regard to **Claim 12**, McGrath et al. disclose the apparatus according to claim 11, wherein when a plurality of devices (sensors 38,40 and 42 in camera 1 in*

addition to the PDA 12) to the supplementary information item (user generated metadata and syntactic metadata) are present (**Column 7, Lines 1 et seq.**), the device whose information is to be selected and stored is determined in descending order of priority (Metadata generated from within the camera (syntactic metadata), which is given first priority, is automatically selected and stored in the camera 1. The metadata input by the user via the PDA is of secondary/lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.**).

In regard to **Claim 13**, McGrath et al. disclose the apparatus according to claim 11, wherein when acquisition of information from another device (PDA) has limitation (The limitation of the apparatus is the time where the user decides to input metadata from the PDA to the video camera), another device whose information is to be selected and stored is determined in descending order of priority (The metadata (plurality of description forms to be used) is selected in descending order of priority. The syntactic metadata, which is given first priority, is automatically selected and stored in the camera 1. The metadata input by the user is of secondary/lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.**)

Regarding **Claim 14**, McGrath et al. disclose the apparatus according to claim 13, wherein the limitation is limitation related to a time in which the information is acquired from another device (PDA), (The limitation of the apparatus is the time where the user decides to input metadata from the PDA to the video camera).

With regard to **Claim 15**, McGrath et al. disclose the apparatus according to claim 13, wherein the limitation is limitation related to a temporary storage amount of the information acquired from another device (The user generated metadata is temporarily stored in the PDA before it is input into the video camera, **Column 7, Lines 1 et seq.**).

In regard to **Claim 16**, McGrath et al. disclose the apparatus according to claim 11, wherein when arithmetic operation of simultaneously converting information from a device (camera 1) into a plurality of unit systems (data store 32 and tape drive 22) has limitation (Metadata of the syntactic kind is converted/calculated to a form useable for the processor 28 and stored in data store 32. The processor 28 eventually transfers it to the tape drive 22. The limitation is that the processor 28 has to wait for the user input metadata from the PDA to the camera. The PDA user input metadata is converted/calculated in the interface unit 18 to a form useable by the processor 28. Here it is combined with the syntactic metadata and sent to the tape drive 22, **Column 17, Lines 1 et seq. to Column 8, Lines 1-46**), the unit system to be selected is determined in descending order of priority (The unit system (data store 32 or tape drive 22) is selected in order of priority, the data store 32 is selected first since it automatically receives metadata from within the video camera 1. The user input metadata which is only stored in the tape drive 22 is of a lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.**).

With regard to **Claim 17**, McGrath et al. disclose the apparatus according to claim 16, wherein the limitation is limitation related to a time in which the information

*from the device (camera 1) is simultaneously re-calculated to the plurality of unit systems (data store 32 and tape drive 22) (The limitation is that the processor 28 has to wait for the user input metadata from the PDA to the camera. These signals then have to be converted/calculated into a form by which the processor 28 can process them. Conversion/calculation to the syntactic metadata is also performed in the secondary metadata processor 34 and sent to the data store 32. Every time a new image is captured, the signals are simultaneously re-calculated/converted. Syntactic metadata is then sent to the data store 32 and once in the processor 28, the user added metadata is combined with the metadata from the data store 32 and sent to the tape drive 22, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46).***

*Regarding **Claim 18**, McGrath et al. disclose the apparatus according to claim 16, wherein the limitation is limitation related to a temporary storage amount of the re-calculated information (The limitation is that the processor 28 has to wait for the user input metadata from the PDA to the camera before it can combine it with the syntactic metadata to send to the tape drive 22. The PDA user input metadata is converted and calculated in the interface unit 18 to a form useable by the processor 28 where it is temporarily stored and combined with the syntactic metadata. Re-calculation is done each time the user sends metadata from the PDA to the processor 28, **Column 17, Lines 1 et seq. to Column 8, Lines 1-46).***

*In regard to **Claim 19**, McGrath et al. disclose the apparatus according to claim 16, wherein the limitation is limitation related to an arithmetic capability for simultaneously re-calculating the information from the sensor (sensor 38 in video*

camera 1, Figure 2) to the plurality of unit systems (data store 32 and tape drive 22) (The limitation is that the processor 28 has to wait for the user input metadata from the PDA to the camera. These signals then have to be converted/calculated into a form by which the processor 28 can process them. Conversion/calculation to the syntactic metadata is also performed in the secondary metadata processor 34 and sent to the data store 32. Every time a new image is captured, the signals are simultaneously re-calculated/converted. Syntactic metadata is then sent to the data store 32 and once in the processor 28, the user added metadata is combined with the metadata from the data store 32 and sent to the tape drive 22, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).

Regarding **Claim 20**, McGrath et al. teach of the apparatus according to claim 16, wherein the limitation is that the information from another device contains unacquired information (The user input metadata sent from the PDA is not acquired by the camera automatically (unacquired information), **Column 7, Lines 1 et seq.**) .

With regard to **Claim 21**, McGrath et al. disclose the apparatus according to claim 11, wherein when information from another device can be simultaneously described by a plurality of forms (Multiple/different metadata from the PDA, **Column 7, Lines 65- Column 8, Lines 1-4**) , and limitation related to the description is present (The limitation of the apparatus is the time where the user decides to input metadata from the PDA to the video camera), the another device whose information is to be selected and stored is determined in descending order of priority (The metadata input by the user is of secondary/lower priority because it is not automatically input into the

Art Unit: 2622

camera along with the video images captured and requires the user to externally input it into the camera. This metadata is selected by the processor 28 and stored in the storage section 22, **Column 7, Lines 1 et seq.**)

Regarding **Claim 22**, McGrath et al. disclose the apparatus according to claim 21, wherein the limitation is limitation related to a time usable for the description (The limitation of the apparatus is the time where the user decides to input metadata from the PDA to the video camera).

With regard to **Claim 23**, McGrath et al. disclose the apparatus according to claim 21, wherein the limitation is limitation related to an amount of information that can be described (The limitation of the apparatus is the time where the user decides to input metadata (amount of information that can be described) from the PDA to the video camera, **Column 7, Lines 1 et seq.**).

In regard to **Claim 24**, McGrath et al. disclose the apparatus according to claim 11, wherein the priority is defined in accordance with easiness of information acquisition (The metadata (plurality of description forms to be used) is selected in descending order of priority. The syntactic metadata, which is given first priority, is automatically selected and stored in the camera 1. The metadata input by the user is of secondary/lower priority because it is not automatically input into the camera along with the video images captured and requires the user to externally input it into the camera, **Column 7, Lines 1 et seq.** Automatic acquisition of metadata is easier than manual acquisition of metadata).

With regard to **Claim 25**, McGrath et al. disclose the apparatus according to claim 11, wherein when information from another device (information from the PDA 12) can be simultaneously described by a plurality of forms (plurality of metadata), each information is described while dividing a storage region (Storage regions 32 and 22) for the priority that is defined in advance for each information (The syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata. The rule selected in advance is that syntactic metadata (high priority metadata) is always stored first in data store 32, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).

Regarding **Claim 26**, McGrath et al. disclose the apparatus according to claim 11, wherein when information from another device can be simultaneously described by a plurality of forms, each information is selectively described in accordance with a storage region (32 and 22) that is defined in advance for each information (The syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata. The rule selected in advance is that syntactic metadata (high priority metadata) is always stored first in data store 32, **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).

*With regard to **Claim 27**, McGrath et al. disclose the apparatus according to claim 26, wherein the storage region of each information is defined in accordance with easiness of information acquisition (The syntactic metadata (date/time) is stored in a separate area (data store 32) of the entire storage medium (magnetic tape 22 and data store 32) than the user input metadata (which is stored only in the magnetic tape 22). Processor 28 stores the syntactic metadata first in the data store 28 before proceeding to include the user input metadata. The rule selected in advance is that syntactic metadata (high priority metadata) is always stored first in data store 32. Also, automatic acquisition of metadata is easier than manual acquisition of metadata **Column 7, Lines 1 et seq. to Column 8, Lines 1-46**).*

*With regard to method **claims 28-54** and computer program and computer program storing **claims 55 and 56**, these correspond to apparatus claims 1-27 and are therefore analyzed and rejected as previously discussed with respect to apparatus claims 1-27.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pritham Prabhakher whose telephone number is 571-270-1128. The examiner can normally be reached on M-F (7:30-5:00) Alt Friday's Off.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Pritham David Prabhakher
Patent Examiner
Pritham.Prabhakher@uspto.gov

Pritham D. Prabhakher



DAVID OMETZ
SUPERVISORY PATENT EXAMINER